

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATHANIEL MARCUS GANN, et al.,
Plaintiffs,
vs.
VALLEY STATE PRISON, et al.,
Defendants.

1:19-cv-01797-GSA-PC

**ORDER STRIKING CONSENT/DECLINE
FORM FILED BY MANFRED
SCHOCKNER AS IMPROPERLY FILED
IN THIS CASE
(ECF No. 14.)**

**ORDER DIRECTING THE CLERK TO
SERVE A COPY OF THIS ORDER ON
MANFRED SCHOCKNER**

Nathaniel Marcus Gann (“Plaintiff Gann”) is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff Gann and fourteen co-plaintiffs filed the Complaint commencing this action on December 26, 2019. (ECF No. 1.)

Currently, Plaintiff Gann is the sole plaintiff in this case. On January 7, 2020, the court issued an order severing Plaintiff Gann's claims from his fourteen co-plaintiffs' claims and directing the Clerk to open a new case for each of the fourteen co-plaintiffs. (ECF No. 10.) Thus, each of the fourteen co-plaintiffs now proceeds with his own case and separate case number. Each co-plaintiff was ordered to complete and file *in his own case* the court's consent/decline form indicating whether he consents to or declines Magistrate Judge jurisdiction. (Id.)

On January 27, 2020, one of the co-plaintiffs, Manfred Schockner (“Schockner”), erroneously filed a consent/decline form in this case instead of in his own new case. (ECF No. 14.) Schockner’s consent/decline form in this case shall be stricken from the record as improperly filed in this case.¹ Schockner is required to file a consent/decline form in his new case using his own new case number, if he has not already done so.

Based on the foregoing, IT IS HEREBY ORDERED that:

1. The consent/decline form filed in this case by Manfred Schockner on January 27, 2020, is STRICKEN from the record as improperly filed in this case;
2. Manfred Schockner is required to file the court's consent/decline form *in his own case*, if he has not already done so; and
3. The Clerk is directed to serve a copy of this order on:

Manfred Schockner
G-05416
Valley State Prison
P.O. Box 96
Chowchilla, CA 93610

IT IS SO ORDERED.

Dated: **January 30, 2020**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

¹ “A document which is ‘stricken’ will not be considered by the Court for any purpose.” (See First Informational Order, ECF No. 6 at 2:7-8.)